

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2, and 4-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Ejlersen et al (US 4,976,701).

Ejlersen et al disclose in Figure 1 a cannula system comprising a cannula support having a thread turning in a first direction (17) and another thread turning in a second opposite direction (25), at least one latching element (25) arranged on the outside of the cannula support, and a protective cap (26) comprising at least one complementary latching element (threads which engage with 25).

Response to Arguments

Applicant's arguments filed 8/12/2008 have been fully considered but they are not persuasive. Applicant argues that Ejlersen et al do not disclose a cannula support as claimed. Examiner disagrees. It is the Examiner's position that the plastics sleeve (14) and the sleeve-shaped member (composed of rear part 23 and front part 24) of Ejlersen et al compose a "cannula support" as these two components are used to hold a cannula (27) and attach it to an injection apparatus. As such, this "cannula support" (defined by parts 14 and 23/24) discloses the claimed features.

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Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CATHERINE N. WITCZAK whose telephone number is (571)272-7179. The examiner can normally be reached on Monday through Friday, 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Sirmons can be reached on (571) 272-4965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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